

**TOWN OF BUCKEYE
REGULAR COUNCIL MEETING
JANUARY 18, 2005
MINUTES**

**Town Council Chambers
100 N. Apache Road
Buckeye, AZ 85326
7:00 p.m.**

1. Call to Order/Pledge of Allegiance/Roll Call.

Mayor Hull led the pledged of allegiance and called the meeting to order at 7:00 p.m.

Members Present: Councilman Meck, Councilman Beard, Vice Mayor Urwiller, Mayor Hull, Councilwoman May, Councilman Doster, and Councilman Garza.

Members Absent: None

Staff Present: Carroll Reynolds, Scott Ruby, Linda Garrison, Lucinda Aja, Scott Rounds, Jeanine Guy, Toni Brown, Dee Hathaway, Woody Scoutten, Ron Brown, Chris Young, Bob Costello, Dave Owens, Iris Wallace, Phil Garthright, Denise Lacey, Dennis Zwagerman, and Jason Hardison.

2. Comments from the Public

None

Approval of items on the Consent Agenda – All There will be no separate discussion of these items unless a Councilmember requests.

CONSENT AGENDA

All items with an (*) are considered to be routine matters and will be enacted by one motion and vote of the Town Council. Vice Mayor Urwiller requested item *5B be removed from the consent agenda for discussion. Motion made by Councilman Meck and seconded by Vice Mayor Urwiller to approve items *3, *4, *5A, *5C, *5D, *5E, and *5F as presented. Councilwoman May voted No on item *5D. Items *3, *4, *5A, *5C, *5E, and *5F passed unanimously. Councilman Meck, Councilman Beard, Vice Mayor Urwiller, Councilman Doster and Councilman Garza voted aye on item *5D. Motion Carried.

*3. Council approved of the minutes of the January 4, 2004 regular Council meeting.

*4. Council approved invoices due by the Town for payment. Copies of invoices are available at Town Hall.

5. New Business

*5A. Council approved a request from Father Goraieb of St. Henry's Church for a waiver of fees for use of the Community Center on February 2, 2005 from 6 to 7:30 p.m.

*5B. After a brief discussion a motion made by Councilman Doster and seconded by Vice Mayor Urwiller to authorize the airport manager to continue negotiation for a fuel service agent for the Buckeye Airport. Motion passed unanimously.

*5C. Council approved the request from the Buckeye Valley Chamber of Commerce for a Special Event Application in connection with Helzapoppin Carnival to be held in February 3-6, 2005.

*5D. Council approved the request from Buckeye Rotary for a Special Events Liquor License in connection with a fundraiser to be held at the Rotary Grounds on February 5th and 6th.

*5E. Council extended the appointment of Ron Brown as Finance Director for a period of up to nine months.

***5F.** Council entered into a engineering service contract with NFra, Inc. for the reconstruction of Fifth Street between Monroe Avenue and Beloit Road, Seventh Street between Mahoney Avenue and Beloit Road, and Narramore Avenue between MC 85 and the entrance to the high school in the amount not to exceed \$103,00.

NON CONSENT AGENDA ITEMS

Mayor Hull moved tem 5X to be the first item on the non-consent agenda.

5X. Award Rancho Sonora Perimeter Wall Construction Contract-, R. K. Sanders Company

Woody Scoutten opened the bids for the Sonora Wall Project on December 9, 2004. His recommendation was to award the bid contract to C-Investments, Inc. (dba R. K. Sanders Company). Alternate Bid #1 was \$11,760 for the Fire Station area. Alternate Bid #2 was \$79,433 for anti-graffiti material for the exterior wall. Mayor Hull requested that the cost of the Fire Station section of the wall be identified so that the cost would not be taken out of the Sonora Wall Project funds. This project would take about 150 days to complete. Sonora resident Roger Brown expressed concern that a 12-foot rear gate was not adequate for property owners with livestock trailers. Sonora Resident Mr. Johnson inquired about who would be responsible for the removal and removal cost of existing fences. Woody Scoutten replied that it was up to the discretion of the home owner. Motion made by Councilman Meck and seconded by Councilman Doster to accept the bid as presented without bid alternate #1 in the amount of \$11,760. Motion passed unanimously.

5G. Public Hearing –Water and Wastewater Rates Pursuant to ARS Section 9-511.01.

Mayor Hull opened a public hearing at 7:23 p.m. to hear citizen input on the proposed increase in the Town of Buckeye water and wastewater (sewer) basic charges, minimum monthly charges, and volume. Town Manager Carroll Reynolds explained that this would balance the wastewater facility deficit as presented at the recent Council Retreat. Staff recommendation was Schedule 2B which would phase in the increase for minimized impact. Consumers that used an abundance of water would notice the impact the most and therefore conserve water. The information has been available to the public through their water billing, front counter information, and published public notices. Councilman Garza had received information from the public hat they did not receive notice in their water bill and therefore did not believe it was exposed to the public adequately. Town administration assured the Council that it had in fact been noted on water bills. Their being no further comments Mayor Hull closed the hearing at 7:28 p.m.

5H. Public Hearing – Revised Proposed Intention to Assess New, and Increase Existing, Development Fees.

Mayor Hull opened a public hearing at 7:29 p.m. to hear citizen input on the revised proposed intention to assess new, and increase existing, development fees. Erin Patterson of Homebuilders Association of Arizona requested support and commitment throughout the process of setting development fees by delaying the rate increase. Chris of Tishler & Associates, Homebuilders Association an staff met via conference call to discuss unresolved issues about the report. Town Manager Carroll Reynolds said the inconsistencies within the report were identified and a revised report was submitted. The report has been available to the public for a 3-month review period and the delay in rate increase has cost the town a significant amount of money. Councilman Meck stated that since the Town of Buckeye has already lost a significant amount of money already and that the taxpayers are paying for the deficiency in fees it is time to resolve this issue and move forward. Town Attorney Scott Ruby stated that the rates will be re-evaluated, adjusted, and changed as the community grows. The fee range for other areas of the valley is up to \$10,000 or more for a ¾ inch meter. Carroll Reynolds stated that the cost for a ¾ inch meter in Goodyear is \$8,135 and Avondale is approximately \$13,000. Bob Spears of Stardust Company told Council that they supported the fee increase but felt that the methodology needed to be evaluated. Their being no further comments Mayor Hull closed the hearing at 7:57 p.m.

5I. Resolution No. 02-05 Setting Basic Charges, Minimum Monthly Charges, and Volume Rates for Water and Sewer Utilities for the Town of Buckeye

Motion made by Councilman Garza and seconded by Councilman Doster to table Resolution No. 02-05 because they felt like there was not enough advertisement. Councilman Meck, Councilman Beard, Vice Mayor Urwiller, Mayor Hull, and Councilwoman May voted No. Motion failed. Councilman Doster and Councilman Garza voted aye. Motion made by Councilman Meck and seconded by Councilman Beard to approve Resolution No. 02-05 of the Town of Buckeye, Arizona, setting basic charges, minimum monthly charges, and volume rates for water and sewer utilities for the Town of Buckeye and those served by the Town of Buckeye as presented. Vice Mayor Urwiller, Councilwoman May, Councilman Beard,

Councilman Meck and Mayor Hull voted aye. Councilman Doster and Councilman Garza voted no. Motion carried.

5J. Ordinance No. 01-05-Annexation CIPRIANI A04-13

Motion made by Vice Mayor Urwiller and seconded by Councilman Meck to approve Ordinance No. 01-05 increasing the corporate limits of the Town of Buckeye for the annexation of 447 acres generally located in portions of Section 23, 24, and 25, Township 1 North, Range 5 West of the Gila and Salt River Base and Meridian, and read by title only. Motion passed unanimously.

5K. Resolution No. 03-05-General Plan Amendment CIPRIANI, MGPA04-250

Motion made by Vice Mayor Urwiller and seconded by Councilman Meck to adopt Resolution No. 03-05 approving a General Development Plan Amendment in that area generally being two locations, one location generally being southwest of Interstate 10 and Johnson Road and the other location being in general proximity to the intersection of Broadway Road and Johnson Road with both areas also generally being located in portions of Section 12, 13, 23, 24, and 25, Township 1 North, Range 5 West of the Gila and Salt River Base and Meridian, Maricopa County, from RR (Rural Residential) to PC, (Planned Community). Motion passed unanimously.

5L. Ordinance No. 02-05-Rezoning CIPRIANI RZ04-251

Motion made by Vice Mayor Urwiller and seconded by Councilman Meck to adopt Ordinance No. 02-05 amending the Land Use District Map of the Town in that area generally being two locations, one location generally being southwest of Interstate 10 and Johnson Road and the other location being in general proximity to the intersection of Broadway Road and Johnson Road with both areas also generally being located in portions of Section 12, 13, 23, 24, and 25, Township 1 North, Range 5 West of the Gila and Salt River Base and Meridian, Maricopa County, from RR (Rural Residential) to PC, (Planned Community) and read by title only. Motion passed unanimously.

5M. Resolution No. 04-05 Major General Plan Amendment GARRETSON MGPA04-242

After a discussion regarding the Hillside Ordinance a motion made by Councilman Meck and seconded by Councilwoman May to table Resolution No. 04-05 authorizing a Major General Plan Amendment to the Town's General Development Plan Land Use District Map and designating approximately 305 acres generally located east of Miller Road between McDowell Road and Yuma Road as Planned Residential instead of the Rural Residential designation. Councilman Beard, Councilman Meck, Councilwoman May, Councilman Doster, and Mayor Hull voted aye. Vice Mayor Urwiller voted no. Motion carried.

5N. Ordinance No. 03-05 amending the Land Use District Map GARRETSON RZ04-423

After a discussion a motion made by Councilman Meck and seconded by Councilwoman May to table Ordinance No. 03-05 amending the Land Use District Map of the Town in the area generally located east of Miller Road between McDowell Road and Yuma Road from R-43, (Maricopa County) to PR Planned Residential. Councilman Beard, Councilman Meck, Councilwoman May, Councilman Doster, and Mayor Hull voted aye. Vice Mayor Urwiller voted no. Motion carried.

5O. No. 05-05 authorizing a Major General Plan Amendment to the Town's General Development Plan Land Use District HINDMAN MGPA940-275

Motion made by Vice Mayor Urwiller and seconded by Councilman Doster to adopt Resolution No. 05-05 authorizing a Major General Plan Amendment to the Town's General Development Plan Land Use District Map and designating approximately 194 acres generally located south of Beloit Road and east of Rooks Road to Planned Residential (approximately 159 acres) and Commercial Center (approximately 35 acres) instead of the Rural Residential designation. Councilman Meck abstained due to conflict of interest. Councilman Beard, Mayor Hull, Councilwoman May, and Councilman Garza voted aye. Motion Carried.

5P. Ordinance No. 04-05 amending the Land Use District Map of the Town HINDMAN RZ04-276

Motion made by Vice Mayor Urwiller and seconded by Councilman Doster to Council to adopt Ordinance No. 04-05 amending the Land Use District Map of the Town in the area generally located south of Beloit Road and east of Rooks Road from R-43 (Maricopa County) to PR, Planned Community and CC, Commercial Center and read by title only. Councilman Meck abstained due to conflict of interest. Councilman Beard, Mayor Hull, Councilwoman May, and Councilman Garza voted aye. Motion carried.

5Q. Resolution No. 06-05 approving a General Development Plan TRIMARK GPA04-288

After much discussion regarding walls and buffer zone around the perimeter of the residential area from traffic noise a motion made by Councilman Beard and seconded by Councilman Meck to not approve Resolution No. 06-05. Vice mayor Urwiller, Councilwoman May, Councilman Doster, Councilman Garza, and Mayor Hull voted no. Motion failed. Motion made by Councilwoman May and seconded by Vice Mayor Urwiller to adopt Resolution No. 06-05 approving a General Development Plan Amendment in that area located generally northeast from the intersection of Rooks Road and Southern Avenue from PC, Planned Community to PR, Planned Residential. Councilman Beard and Councilman Meck voted no. Councilman Doster, Councilwoman May, Councilman Garza, Vice Mayor Urwiller, and Mayor Hull voted aye. Motion carried.

5R. Ordinance No. 05-05 Amending The Land Use District Map TRIMARK RZ04-287

After much discussion regarding the walls and buffer zones around the perimeter of the residential area from traffic noise a motion made by Councilman Beard and seconded by Councilman Meck to not approve Ordinance No. 05-05. Vice mayor Urwiller, Councilwoman May, Councilman Doster, Councilman Garza, and Mayor Hull voted no. Motion failed. Motion made by Councilwoman May and seconded by Vice Mayor Urwiller to adopt Ordinance No. 05-05 amending the Land Use District Map of the Town in that area located generally northeast from the intersection of Rooks Road and Southern Avenue from RR, Rural Residential to PR, Planned Residential and CC, Commercial Center and read by title only. Councilman Beard and Councilman Meck voted no. Councilwoman May, Councilman Doster, Councilman Garza, Vice Mayor Urwiller, and Mayor Hull voted aye. Motion carried.

5S. Resolution No. 07-05 General Development Plan Amendment consisting of approximately 706 acres. YOUNGKERS/SHEA HOMES GPA04-290

Motion made by Vice Mayor Urwiller and seconded by Councilman Meck to adopt Resolution No. 07-05 approving a General Development Plan Amendment in that area located generally south of Lower Buckeye Road, north of the R.I.D. Canal, west of Watson Road and east of Miller Road also generally as located in the north half of Section 20 and 21; a portion of the southern half of Section 16, and a portion of the northeast one quarter of Section 19, Township 1 North, Range 3 West of the Gila and Salt River Base and Meridian, Maricopa County from PR, Planned Residential to PC, Planned Community. Motion passed unanimously.

5T. Ordinance No. 06-05 amending the Land Use District Map YOUNGKER/SHEA HOMES RZ04289

Motion made by Vice Mayor Urwiller and seconded by Councilman Meck to table Ordinance No. 06-05 amending the Land Use District Map of the Town in that area located generally south of Lower Buckeye Road, north of the R.I.D. Canal, west of Watson Road and mostly east of Miller Road also generally as located in the north half of Section 20 and 21; a portion of the southern half of Section 16, and a portion of the northeast one quarter of Section 19, Township 1 North, Range 3 West of the Gila and Salt River Base and Meridian, Maricopa County, from the RR, Rural Residential to the PC, Planned Community and read by title only. Motion passed unanimously.

5U. Resolution No. 08-05 authorizing a Major General Plan Amendment to the Town's General Development Land Use District Map SUNWEST VALLEY DEVELOPERS MGPA04-304

Motion made by Councilwoman May and seconded by Vice mayor Urwiller to adopt Resolution No. 08-05 authorizing a Major General Plan Amendment to the Town's General Development Land Use District Map and designating approximately 135 acres generally located north and east of the intersection of Rooks Road and Broadway Road as Planned Residential instead of the Rural Residential designation. Motion passed unanimously.

5V. Ordinance No. 07-05 amending the Land Use District Map of the SUNWEST VALLEY DEVELOPERS RZ04-305

Motion made by Councilwoman May and seconded by Vice mayor adopt Ordinance No. 07-05 amending the Land Use District Map of the Town in that area generally located north and east of the intersection of Rooks Road and Broadway Road from R-43, Maricopa County, to Planned Residential, PR, and read by title only. Motion passed unanimously.

5W. Resolution No. 09-05-Election Districts for the Purpose of Electing Town Council Members from Those Districts Rather Than at Large.

Motion made by Councilwoman May and seconded by Councilman Doster to adopt Resolution No. 09-05 placing on the ballot at the election to be conducted on May 17, 2005, the question of whether the Town should be divided into election districts for the purpose of electing Town Council Members from those districts rather than at large. Vice Mayor Urwiller voted no. Councilman Meck, Councilman Beard, Councilwoman May, Councilman Doster, Councilman Garza, and Mayor Hull voted aye. Motion carried.

5Y. Reappointment of Murel Stephens to the Personnel Board.

Motion made by Vice Mayor Urwiller and seconded by Councilwoman May to reappoint Murel Stephens to the Personnel Board. Motion passed unanimously.

6. Town Manager's Report

- Fire Chief Scott Rounds did a great job as acting Town Manager in his absence.
- Community Development has implemented a Design Review Team to help developers be successful.
- An electronic permit system is being used by Community Development to help with the increasing number of permits each month.
- Ian Dowdy has been helping evaluating the Town of Buckeye building space, cost of obtaining land, and equipment issues.
- Staff has been meeting with Valencia Water Company.

7. Comments from the Mayor and Council

There were no comments from the Mayor or Council.

8. Adjournment.

There being no further business to come before the Council moved by Vice Mayor Urwiller and seconded by Councilman Meck to adjourn the meeting at 9:10 p.m. Motion passed unanimously.

Dustin Hull, Mayor

ATTEST:

Linda Garrison, Town Clerk

I hereby certify that the foregoing is a true and correct copy of the Regular Meeting held on the 18th day of January, 2005. I further certify that a quorum was present.

Linda Garrison, Town Clerk